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ABSTRACT

The Maine Department of Educational and Cultural Services (DECS) received funding under the Stewart B. McKinney Homeless Assistance Act of 1987 to develop a state plan for assuring access to a free and appropriate education for homeless children and youth. A second-year grant was to be made to DECS upon submission of a state plan to the U.S. Department of Education; this grant would enable DECS to carry out activities listed in the plan. This publication is divided into five parts. The first part summarizes the mandate of the McKinney Act and Maine's response. The second part describes DECS's decision to seek help from the Human Services Development Institute (HSDI) and other agencies in the development of the plan. The third section provides information on public hearings and focus groups convened for the examination of homeless education issues. The fourth part, "A Plan of Action," presents objectives and timelines for the following goals: (1) assuring access to homeless education; (2) providing technical assistance; (3) establishing community-based case management; (4) increasing public awareness; and (5) establishing a student tracking system. The fifth part consists of the following appended materials: (1) Maine statutes; (2) the Advisory Committee membership roster; (3) a public hearing notice; and (4) the HSDI report executive summary. (AF)

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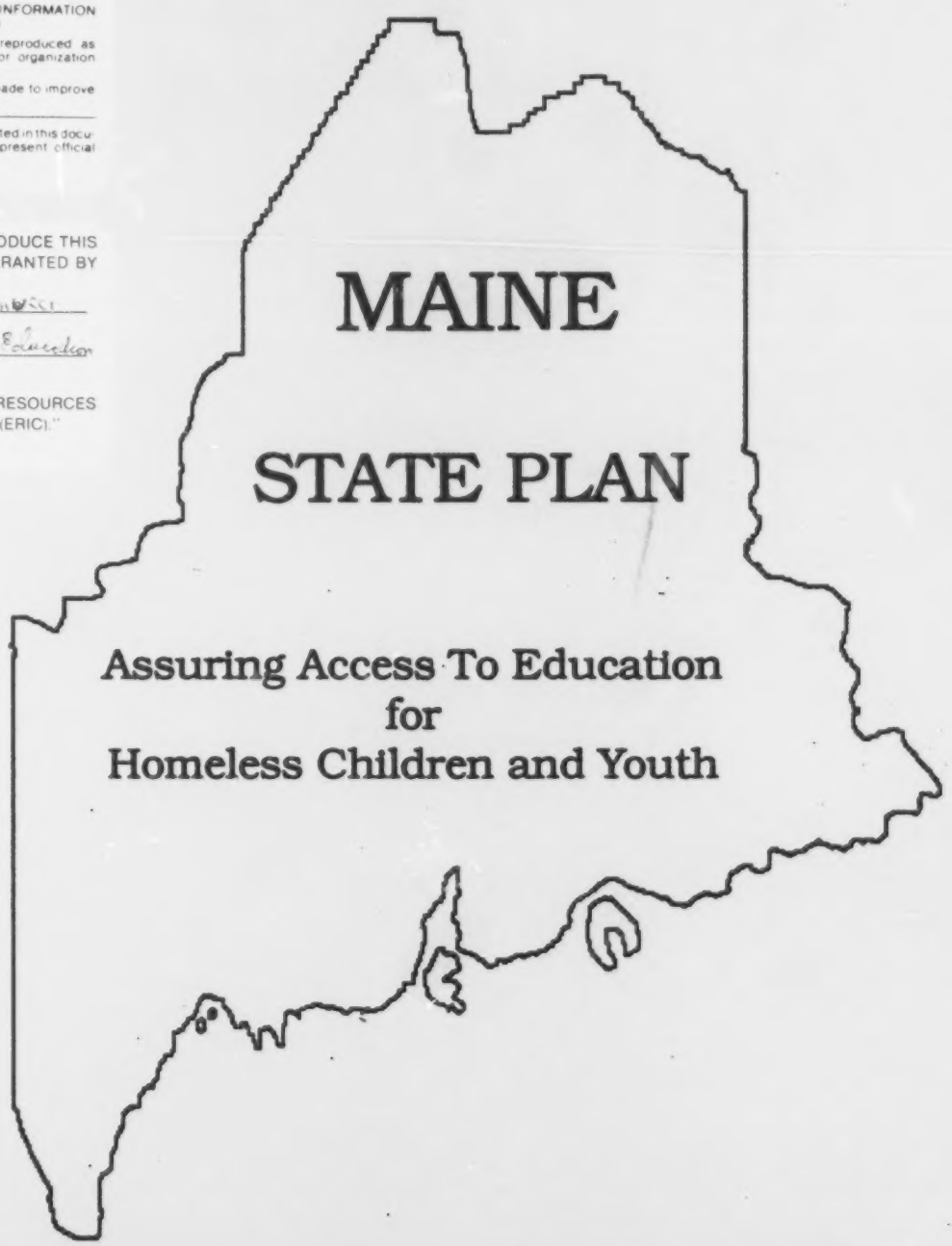
MAINE

STATE PLAN

Assuring Access To Education for Homeless Children and Youth



Maine Department of Educational and Cultural Services

March, 1989

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MAINE STATE PLAN

Assuring Access To Education for Homeless Children and Youth

March, 1989

Prepared by
Frank J. Antonucci, Jr.

Office of Education of Homeless Children and Youth
Maine Department of Educational and Cultural Services
State House Station #23
Augusta, Maine 04330

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I. Stewart B. McKinney Homeless Assistance Act

Congress responded to the needs of the homeless school-aged children, through the passage of the Stewart B. McKinney Homeless Assistance Act in July 1987. This omnibus $1 billion legislation established many programs to aid homeless persons. Section B of the Act contains provisions to ensure equal access to education for homeless children. Under the McKinney Act, Congress has expressed its belief that all homeless children have the same right to a free, appropriate public education as that given to non-homeless children; and has legislated that states review, and if necessary, revise their school residency laws in order to preclude their use as a tool to bar homeless children from school.

The Maine Department of Educational and Cultural Services (DECS) has received funding under the McKinney Act to develop a State Plan for assuring access to a free and appropriate education for homeless children and youth. A second year grant will be made available to DECS upon submission of a State Plan to U.S.D.O.E. This second year grant will enable DECS to carry out the activities listed in this State Plan.

II. Human Services Development Institute Study.

McKinney Act funds received in the Spring of 1988 by DECS were set aside to seek outside services to examine the educational needs of homeless children and youth and to develop recommendations for removing the barriers to meeting these needs. The HSDI report "Educational Access for Homeless Children and Youth," January 1989, outlined three broad areas for action by DECS. The HSDI recommendations and other department input from the Office of Truancy, Dropout and Alternative Education establish the basis for developing the 1989-90 State Plan. An "ad hoc" Advisory Committee for the McKinney project assisted in the review of the recommendations made by HSDI and DECS. The Executive Summary of the HSDI report is contained in the Appendix of this report.

III. Public Hearings and Focus Groups

Public hearings were held in Portland on February 28, 1989 and in Bangor on March 2, 1989. The Maine State Plan for Assuring Access to Education for Homeless Children and Youth was distributed at the hearings. The State Plan was also mailed to individuals who requested a copy as noted in the public notices placed in Maine's major newspapers. The public comment period extended through March 31, 1989. Eight persons attended the Bangor hearing, while only two persons attended in Portland. The Bangor hearing was recorded by a public recorder and transcribed.

Six regional focus groups were convened by the HSDI contractor during February and early March to review and comment on the HSDI recommendations to the Department. These groups of 10 to 18 persons from schools, public agencies and other officials who deal with homeless children and youth were helpful in examining problem areas of mutual concern in assuring access to education for homeless children. These sessions were held in the following locations. Bangor, Farmington, Lewiston, Portland, Presque Isle, and Sanford.

A PLAN OF ACTION

GOAL ONE

The Department of Educational and Cultural Services will review and make necessary revisions of education rules and statutes such that homeless school-age children and youth are assured access to a free education which is both continuous and appropriate.

Objective 1.1

The Commissioner will request rulemaking authority for determining "the best interest of the student" under 20 MRSA Section 5205-2 including provisions for transportation and formal notice to parents when homeless school-age children are enrolled in a school unit other than where the parent resides. These rules clarify the right of a student to attend school in another administrative unit and procedures by which the Commissioner will resolve disputes regarding the Superintendent's findings on behalf of the student and will assure that transfer of records between units is done in a timely fashion. The authority of the Commissioner and State Agency under Section 5205-2 will be clearly defined in the rulemaking to guide Superintendents in making their findings.

Timeline: Spring 1989 - Fall 1989

Objective 1.2

The Commissioner of Education will adopt rules to assure that the efforts of school unit attendance coordinators are extended to identify all school-age children and youth who are not attending school and who have not gained a high school diploma or its equivalent.

Timeline: Fall 1989

Objective 1.3

The Commissioner of Education will examine the regulations for special education to assure that PET procedural requirements permit continuous services to homeless children and youth and will either (a) amend the rules to provide this assurance or (b) issue an administrative letter to school superintendents explaining the specific provisions which require such continuous services for homeless children and youth when they enroll in out of district schools.

Timeline: Summer 1989

GOAL TWO

School units will be assisted in planning new and expanded services and programs to address the educational needs of homeless school-age children and youth.

Objective 2.1

The Department of Educational and Cultural Services will seek incentive funding mechanisms for expansion of alternative education programs at both the high school and middle school levels.

Timeline: Spring 1989

Objective 2.2

The Department of Educational and Cultural Services will provide training materials, technical assistance and guidance for school units in developing alternative education programs and strategies.

Timeline: Ongoing

GOAL THREE

School units will be encouraged to establish community based case management systems for assuring access to education for homeless school-age children and youth.

Objective 3.1

The Department of Educational and Cultural Services will prepare guidelines and procedures for developing community-school collaboratives.

Timeline: Summer 1989

Objective 3.2

The Department of Educational and Cultural Services with assistance from the Department of Human Services and Corrections will develop and implement a state wide reporting system for identifying homeless children and youth.

Timeline: Spring-Summer 1989

Objective 3.3

The Department of Educational and Cultural Services will provide technical assistance to school units in developing case management systems for homeless children and youth.

Timeline: Fall 1989

GOAL FOUR

The Department of Educational and Cultural Services will promote public awareness and interest in developing programs and services to meet the needs of homeless school-age children and youth.

Objective 4.1

The Department of Educational and Cultural Services will hold at least four regional public forums during the 1989-90 school year.

Timeline: Fall 1989
Spring 1990

Objective 4.2

The Department of Educational and Cultural Services will prepare and disseminate a resource brochure for advocates, school persons and other service agencies on the rights to education of homeless children and youth and how to assist these populations to gain a free and appropriate education.

Timeline: Fall 1989

GOAL FIVE

The Department of Educational and Cultural Services will establish a system for tracking students statewide.

Objective 5.1

The Management Information Office will develop a plan for developing a computer system for tracking students by social security numbers, such that children who are not in school may be identified.

Timeline: Fall 1989 - Winter 1990

Objective 5.2

The Department will provide technical assistance to schools for using computerized student record files and systems.

Timeline: Spring 1989

Objective 5.3

The Department will recommend Legislative enactment of LD 187 which will establish professional requirements for attendance coordinators in all school units.

Timeline: Spring 1989

APPENDIX A

Maine Statutes

APPENDIX A.

20-A MRSA, Chapter 213 Student Eligibility

5205. Other exceptions to the general residency rules.

The following exceptions apply in determining a student's right to attend a school in a school administrative unit other than the one in which the student has permanent residence.

1. State wards. A state ward shall be considered a resident of the unit where placed.

2. Other students not living at home. A student other than a state ward, residing with another person who is not the student's parent, shall be considered a resident of the school administrative unit where the student resides if the superintendent of the unit determines that it is in the best interest of the student because of the following:

A. It is undesirable and impractical for that student to reside with the student's parent, or that other extenuating circumstances exist which justify residence in the unit; and

B. That person is residing in the school administrative unit for other than just education purposes.

The commissioner shall review the superintendent's findings under paragraph B, on the request of that student's parent. The commissioner's decision shall be final and binding.

3. Students placed by state agencies. A student who is placed by a state agency, child placement agency or parent in a nonfamily foster home shall be considered a resident of the school administrative unit where the foster home is located, if:

A. The state agency, child placement agency or parent proves to the school administrative unit's satisfaction that the costs of educating that student will be paid to the school administrative unit in the year they are incurred; and

B. The school administrative unit has agreed to accept tuition students under this Title.

4. Students living at light, fog warning or life stations. A student living at any light, fog warning or lifesaving station shall be considered a resident of the school administrative unit where the student chooses to enroll.

5. Temporary residents. A student who temporarily resides in a school administrative unit shall be considered a resident of that school unit if the student is living with a parent who, because of employment, moves from place to place. This subsection may not be construed to abridge that student's rights in the school administrative unit where the student permanently resides.

6. Transfer students. The following provisions apply to transfers of students from one school administrative unit to another if:

A. Two superintendents may approve the transfer of a student from one school administrative unit to another if:

(1) They find that a transfer is in the student's best interest; and

(2) The student's parent approves.

The superintendents shall notify the commissioner of any transfer approved under this paragraph.

B. On the request of the parent of a student requesting transfer under paragraph A, the commissioner shall review the transfer. The commissioner's decision shall be final and binding.

C. The superintendents shall annually review any transfer under this subsection.

D. For purposes of the state school subsidy, a student transferred under this subsection shall be considered a resident of the school administrative unit to which transferred. For purposes of local leeway under section 15511, subsection 3, a student transferred under this subsection shall be considered a resident of the largest municipality in the school administrative unit to which transferred.

E. A school administrative unit may not charge tuition for a transfer approved under this subsection.

APPENDIX B

Advisory Committee

DEPARTMENT OF EDUCATIONAL & CULTURAL SERVICES
HOMELESS CHILDREN AND YOUTH PROJECT

Advisory Committee

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Department of Educational & Cultural Services
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289-5110

APPENDIX C

Public Hearing Notice

DEPARTMENT OF EDUCATIONAL & CULTURAL SERVICES

PUBLIC HEARING NOTICE

Subject: Maine State Plan for Assuring Access to Education for Homeless Children and Youth.

Summary: Pursuant to the Stewart B. McKinney Homeless Assistance Act, the Maine Department of Educational and Cultural Services has developed a State Plan for Assuring Access to Education for Homeless Children and Youth. The State Plan includes recommendations for rule making authority and guidelines for assuring the rights of homeless children and youth to have access to a free and appropriate public education. The State Plan will become effective in September 1989. The Plan includes mechanisms for parent and student appeal procedures.

PUBLIC HEARINGS: Tuesday, February 28, 1989
Preble Street Chapel
331 Cumberland Avenue
Portland, Maine 04103
6:30 - 8:30 p.m.

Thursday, March 2, 1989
Bangor YMCA
127 Hammond Street
Bangor, Maine 04401
6:00 - 7:30 p.m.

Deadline for Comments: March 31, 1989

AGENCY CONTACT PERSON: Frank J. Antonucci, Jr.
Office of Coordinator of Education of Homeless Children and Youth
Dept. of Educational & Cultural Services
State House Station #23
Augusta, Maine 04333

Telephone # 289-5110

APPENDIX D

HSDI Executive Summary

EDUCATIONAL ACCESS

FOR

HOMELESS CHILDREN AND YOUTH

IN MAINE

January 1989

MAINE DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

STATE HOUSE STATION #23
AUGUSTA, MAINE 04333

PRINTED UNDER APPROPRIATION # 3201.111

EDUCATIONAL ACCESS FOR HOMELESS CHILDREN AND YOUTH IN MAINE

Executive Summary

Prepared for:

MAINE DEPARTMENT OF EDUCATIONAL and CULTURAL SERVICES

January 1989

Prepared by:

Karen Tilbor
Cara Barter

Human Services Development Institute
Public Policy and Management Program
University of Southern Maine
96 Falmouth Street
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EDUCATIONAL ACCESS FOR HOMELESS CHILDREN AND YOUTH IN MAINE

Executive Summary

This report decribes a six-month project by the Human Services Development Institute under contract with the Department of Educational and Cultural Services. The purpose of the project was to identify and estimate the number of homeless school-age children in Maine, to identify the barriers to educational access which they encounter, and to recommend actions leading to a state-wide plan for ensuring educational access to homeless children and youth.

A homeless school-age child is one between the ages of 5 and 20 years who lacks a fixed, regular and adequate residence and dwells in temporary places which are either publicly supervised, not designated as regular sleeping accommodations, or not designed for the number of people living there.

The first two months of the project were devoted to development of survey instruments and the collection of data on the relationship between homelessness and educational access. Subsequent months were spent collecting and tabulating survey information and interviewing school personnel, service providers and homeless children and their parents.

METHODOLOGY

The HSDI study utilized the following data collection strategies:

(1) Survey of a sampling of geographically distributed school units through a combination of self-administered questionnaires, telephone and in-person interviews;

(2) Survey of staff from Maine's shelters through a combination of self-administered questionnaires, telephone and in-person interviews;

(3) In-person individual and group interviews with geographically distributed homeless children and youth and where appropriate, their parents;

(4) Calculation of an estimate of the homeless population of children and youth.

The study set out to identify homeless school-age children in Maine and determine the extent to which they experience the barriers to education encountered by most homeless school-age children: residency requirements, a lack of sufficient transportation, school and health record requirements, and guardianship requirements (Broken Lives, National Coalition for the Homeless, Washington, D.C. 1987). In addition, school officials, and shelter administrators were asked to identify any barriers they considered significant - barriers created by the situation of homelessness as well as those pertaining to school policy. Finally, homeless children and their parents were asked to describe school experiences and any barriers to educational access which they personally encountered during their period of homelessness.

FINDINGS

Estimates of Homeless Children and Youth

The information collected in this study has been obtained from 39 Maine school units (22 percent of all school units), 15 shelters, (40 percent of the identified shelters serving children), 37 school-age children and 9 parents.

The small sample warrants that results be interpreted carefully. The responses of school units and shelters provided the basis for calculation of two separate estimates of the number of homeless school-age children in Maine: one, based on shelter figures, is 2,935 homeless school-age children in Maine during the academic year 1987-1988; the other based on school figures, is 787, representing 27 percent of the shelter figure during the same

time period. The higher number of children actually identified by shelter providers suggests that many homeless children may not be known to school officials, either because their homelessness has not been reported or they are not attending school. Children who have not utilized shelters, either because they are on the street or with their families in unsatisfactory situations, are not included in shelter figures.

Our inquiries confirm that homeless students in Maine fall primarily into four groups:

- children living with a parent or parents in emergency shelters or bridge housing facilities,
- children living with their mothers in domestic violence shelters,
- youth living in runaway shelters or surviving alone on the street,
- children who are part of a hidden population of homeless-dispossessed families with economic problems, doubling up with family members or friends or temporarily staying in inadequate seasonal shelters.

The children and youth interviewed in this study primarily represent the first two groups.

Barriers to Educational Access

The education of a homeless child is affected by poverty and homelessness whether or not he or she is attending school; education is not always a priority for families and youth struggling to survive. This study identified barriers to educational access which are divided into three groups: barriers associated with school policies and practices; barriers representing a need for services or programs; and barriers representing serious psychological or social obstacles for children and families which are the result of poverty and

homelessness. The first two groups of barriers are reflected in the recommendations. Barriers in the third group are not directly addressed in this report.

This study revealed that the implementation of some policies and the absence of some programs have created barriers to educational access for homeless children. The overwhelming barrier identified in this study is not a particular policy or program, but the absence of adequate follow-up and the need for outreach when a child's school attendance becomes irregular. School officials, shelter providers and students agree on the need for an immediate response to this problem.

RECOMMENDATIONS FOR ACTION

Several recommendations have resulted from the barriers and needs identified in this study. Further discussion by the Advisory Committee on Educational Access for Homeless Children and Youth in Maine is needed to prioritize these recommendations. Some recommendations suggest the need for action at the state level. Others require a process which depends upon strong community commitment and a locally-determined structure, but would also benefit from a state-level commitment to support this effort. Although some recommendations apply to educational access for homeless children and youth exlusively, several, which have appeared in other reports or proposals, have implications for the education of at-risk children in general.

Recommendations for Linkages Between Schools and Other Agencies

The Department of Educational and Cultural Services should recommend guidelines for local school units to coordinate with shelters and other service providers to:

- Establish community-based case-management system for homeless school-age children;

- Establish a reporting system for numbers of homeless school-age children served by shelters and other agencies;

- Ensure educational access for each identified homeless child;

- Explore use of school buildings/facilities after school hours by community agencies sponsoring programs for children and youth.

Recommendations for New or Expanded School Programs or Services

The Department of Educational and Cultural Services should:

- Authorize tutoring or other appropriate educational options by qualified staff for homeless school-age children who, because of their transience and related problems, do not or cannot attend school.

- Increase alternative programs and expand their availability to middle school junior high populations.

- Explore earlier eligibility for vocational education and adult education programs and other legitimate alternatives to the traditional school program for homeless children who are failing or dropping out of school.

- Encourage school/units to identify and implement peer-support training at the junior high and high school levels.

Recommendations for Review or Revision of Policies or Practices

The Department of Educational and Cultural Services should:

- Establish the standard for the "best interest of the student" with consideration for continuity of the child's education, transportation needs and the parents intent about future residence.

- Review of statutes § 5205-2 and § 5205-5 to determine whether or not the interpretation addresses the needs of homeless school-age children.

- Review truancy law and consider more effective responses to school absences for children of all ages.

- Recommend procedures to facilitate cooperative transportation agreements between school superintendents and establish criteria for assistance from the Department of Educational and Cultural Services when necessary.

- Establish procedures for scheduling Pupil Evaluation Teams (PET) for homeless students unable to return to home school unit.

Recommendations for Dissemination of Information

The Department of Educational and Cultural Services should:

- Present information about the Stewart B. McKinney Homeless Assistance Act and issues regarding educational access for homeless children to the Maine School Management Association.
- Provide in-service training for guidance counselors, teachers and other appropriate school personnel.
- Identify and inform local school officials of the few existing shelter education programs and ensure attendance credit for homeless students who participate in those programs.
- Clarify existing funding mechanisms and the responsibility of school units for enrolling homeless children and meeting their educational expenses.